

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA**

IN RE:

Sparc Foundry, LLC,

Debtor(s).

C/A No. 24-02116-EG

Chapter 7

ORDER

THIS MATTER is before the Court on the Correspondence filed by Bitmain Technologies Georgia Limited (“Bitmain”).¹ On September 16, 2024, this Court entered an Order on Motion for Protective Order, which designated Lixiong Hao (“Hao”) and Jingrui Yu (“Yu”) as representatives of the Debtor pursuant to Fed. R. Bankr. P. 9001(5) and ordered Hao and Yu to submit themselves to be examined pursuant to Fed. R. Bankr. P. 2004.² The Order further provided that:

[T]he examination shall be conducted at a time and on a day stipulated by the attorneys for the parties or, if they do not agree, fixed by the Court. Within five (5) business days from the entry of this order, Debtor’s counsel and Bitmain’s counsel shall file with the Court joint correspondence setting forth the stipulated date and time for the examination of Lixiong Hao and Jingrui Yu. To the extent that the parties are unable to stipulate to a date and time, the correspondence should provide weekday dates for the remainder of September 2024 through October 15, 2024, when Hao and Yu would **not** be available to be examined in person in Columbia, South Carolina (taking into account the travel time), and the Court will then set a time and date accordingly.

The Correspondence states that “Debtor’s counsel has been unable to provide any proposed dates to Bitmain, which otherwise is prepared to accommodate the schedules of Messrs. Hao and Yu.” It appears from the Correspondence that the parties are unable to agree to a date and time for the examination of Hao and Yu.

¹ ECF No. 36, filed Sept. 23, 2024.


² ECF No. 34.

IT IS THEREFORE ORDERED that **on or before 5:00 PM on September 26, 2024**, Hao and Yu, through Debtor's counsel, shall file correspondence with this Court indicating the weekday dates for the remainder of September through October 15, 2024 when they will **not** be available. Upon their failure to do so, sanctions may be imposed. To the extent that Debtor's representatives fail to file the correspondence as requested herein or provide limited availability for the Rule 2004 examination in Columbia, South Carolina, the Court will schedule a hearing at which Debtor's representatives will be ordered to appear in person.

AND IT IS SO ORDERED.

FILED BY THE COURT
09/25/2024




Elisabetta G. M. Gasparini
US Bankruptcy Judge
District of South Carolina

Entered: 09/25/2024